

IN THE SENATE OF THE UNITED STATES.

JUNE 13, 1860.—Ordered to be printed.

Mr. YULEE made the following *adverse*

REPORT.

[To accompany Bill H. R. 352.]

*The Committee on Post Offices and Post Roads, to whom was referred bill from the House of Representatives (No. 352) for the relief of James Hooten, asking indemnification for the loss of postage stamps, respectfully report:*

It is represented that the petitioner was postmaster in the year 1859 at Rowlesburg, a station on the line of the Baltimore and Ohio railroad; and that on the night of the 28th of October, of the same year, the storehouse in which the post office was kept was entered and robbed of post office stamps and money to the amount of \$90, for which the petitioner now asks to be indemnified.

The attention of the Senate is asked to the following letter from the Third Assistant Postmaster General, addressed to Hon. John Woodruff, relative to this subject, and to the regulation referred to therein:

POST OFFICE DEPARTMENT,  
*Finance Office, March 5, 1860.*

SIR: In reply to your communication of the 2d instant, I will state that the department is unable to furnish any information relative to the case of James Hooten, late postmaster, Rowlesburg, Virginia, praying indemnification for postage stamps lost.

By reference to Post Office Regulations, page 119, section 404, you will perceive that compliance with the instructions mentioned therein, will entitle his claim to due consideration from this department.

Your obedient servant,

A. N. ZEVELY,  
*Third Assistant Postmaster General.*

Hon. JOHN WOODRUFF,  
*House of Representatives.*

## POST OFFICE REGULATIONS.

Section 404. Under a decision of the Attorney General, a postmaster claiming credit for postage stamps, or stamped envelopes alleged to have been lost in the mails, burnt, or otherwise destroyed, his *own affidavit* stating the circumstances and amount of loss, together with all the other proof which in the particular case he can produce, is required to be forwarded to the Third Assistant Postmaster General. Upon the receipt of such affidavit, which should be sent with the least possible delay, the claim will be submitted to the Postmaster General. For stamps *stolen* no credit can be allowed, unless it is proven, beyond reasonable doubt, that they are entirely removed from future circulation.

Having duly considered the subject, it is the opinion of the committee that the existing laws of the Post Office Department furnish sufficient remedy in all proper cases of losses, and that the claim in question is one which should be referred for the investigation and action of the department itself. The committee cannot, therefore, concur in the bill as reported by the House of Representatives.